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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,736	02/11/1999	TERRY MICHAEL BLEIZEFFER	ST998029	9147

7590

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EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2177

22

DATE MAILED: 07/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/248,736	BLEIZEFFER ET AL.	
	Examiner	Art Unit	
	Khanh B. Pham	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-105 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 64-105 is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____   |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. Applicant's amendment filed on June 2, 2003 has been entered. Claims 1, **22** and **43** have been amended.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-63 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Robinson (US 5,842,218 A), hereinafter referred to as "Robinson", and in view of Glasser et al. (US 5,956,715 A), hereinafter referred as "Glasser".

**As per claim 1**, Robinson teaches a method of creating a customize tree in a computer from a original tree comprising:

- “selecting one or more objects on the original tree to be contained in the customized tree in response to user input, wherein the one or more objects are located in disparate places across different branches of the original tree” at Col. 3 lines 34-54 and Figs. 11-16;
- “linking the selected objects from the disparate places to each other in the customized tree in a user-specified manner” at Col. 3 lines 34-54 and Figs. 11-16.

Robinson does not teach the step of: “defining security restriction for accessing the selected objects using the customized tree”. However, Glasser teaches a method of defining security restriction for a portion of a hierarchical tree structure (Col. 2, lines 13-33 and Fig. 4) includes the step of: “defining security restriction for accessing the selected objects using the customized tree” at Col. 8, lines 10-40 and Figs. 5, 6B. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Robinson’s method to include the step of “defining security restriction...” in order to allow user to change access permission to a portion of the tree structure; and, as indicated by Glasser, “provides a streamlined user interface that insulates the user from the complexities in making these change” and “perform access controls inheritance automatically. The user need not be concerned with distinctions between explicit and implicit access controls or the intricacies of the inheritance and propagation logic” (Col. 3 lines 15-20).

**As per claim 2**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: “creating a filter for the selected object in response to

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user input, wherein the filter specifies a selection criteria to select objects to be contained within the selected object on the customized tree” at Col. 3 line 60 to Col. 4 line 8;

- “applying the filter to create the customized tree with the selected object and the objects to be contained within the selected object” at Col. 3 line 60 to Col 4 line 8.

**As per claim 3**, Robinson and Glasser teach the method of claim 2 as discussed above. Robinson also teaches: “the step of applying the filter further comprises the step of selecting objects from multiple parent objects” at Col. 3 lines 34-54 and Figs. 11-16.

**As per claim 4**, Robinson and Glasser teach the method of claim 3 as discussed above. Robinson also teaches: “the multiple parent objects are contained on multiple platforms” at Col. 5 lines 40-50.

**As per claim 5**, Robinson and Glasser teach the method of claim 2 as discussed above. Robinson also teaches: “if the objects to be selected by the filter change, the customized tree is automatically updated to reflect the changed objects” at Col. 9 lines 39-53.

**As per claim 6**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: “modifying the customized tree” at Col. 12 lines 25-45.

**As per claim 7**, Robinson and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of adding an object to the customized tree” at Col. 12 lines 25-45.

**As per claim 8**, Robinson and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of removing an object of the customized tree” at Col. 12 lines 25-45.

**As per claim 9**, Robinson and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of copying an object into the customized tree” at Col. 12 lines 25-45.

**As per claim 10**, Robinson and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of copying an object from a first position in the customized tree to a second position in the customized tree” at Col. 12 lines 25-45.

**As per claim 11**, Robinson and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of removing the customized tree” at Col. 12 lines 35-45.

**As per claim 12**, Robinson and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of changing an object” at Col. 11 lines 23-49.

**As per claim 13**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: “using the customized tree to simultaneously perform an action on multiple objects contained in the customized tree” at Col. 12 lines 34-46.

**As per claim 14**, Robinson and Glasser teach the method of claim 6 as discussed above. Glasser also teaches: “restricting access to the customized tree” at Col. 8 lines 10-40.

**As per claim 15**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "enabling customization of labels for objects in the customized tree" at Figs. 11-22.

**As per claim 16**, Robinson and Glasser teach the method of claim 15 as discussed above. Robinson also teaches: "each label distinguishes between different objects of a similar type" at Figs. 11-22

**As per claim 17**, Robinson and Glasser teach the method of claim 15 as discussed above. Robinson also teaches: "each label is an indicator of a filter" at Col. 10 lines 1-14.

**As per claim 18**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "providing graphical user interfaces for creating the customized tree and wherein the user input is received from one or more graphical user interfaces" at Col. 6 lines 30-40 and Figs. 11-22.

**As per claim 19**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "the customized tree contains a subset of the objects of the original tree" at Figs. 13-16.

**As per claim 20**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "the objects of the customized tree are organized in a user-specified manner" at Col. 3 lines 35-55.

**As per claim 21**, Robinson and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "creating multiple customized trees" at Fig. 14.

**Claims 22-63** recite an apparatus and an article of manufacture having similar limitation as in claims 1- 21. Therefore, claims 22-63 are rejected by the same rational.

***Allowable Subject Matter***

3. **Claims 64-105 are allowed.**

The following is a statement of reasons for the indication of allowable subject matter: prior art of record does not teach or suggest the combination of claimed elements including: "creating a filter for the selected object in response to user input, wherein the filter comprises user specified filter criteria, a user specified comparator operator, and a user-specified comparison value, wherein the user-specified comparator specifies how the user-specified filter criteria is compared with the user-specified comparison value, to determine objects to be contained within the selected object on the customized tree" as recited in the independent claims 64, 78, and 92.

Thus, prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-63 have been considered but are moot in view of the new ground(s) of rejection.



***Conclusion***

6. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(703) 305-9601** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 746-7240.

Khanh B. Pham  
Examiner  
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July 16, 2003

JEAN F. HOMERE  
PRIMARY EXAMINER